

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NATALY LOPEZ VARGAS,

Plaintiff,

v.

SAPUTO DAIRY FOODS USA, LLC,

Defendant.

Case No. 1:22-cv-01645-ADA-HBK

ORDER GRANTING STAY OF ACTION
AND VACATING ALL HEARING DATES
AND RELATED DEADLINES

(Doc. No. 18)

On May 26, 2023, Defendant Saputo Dairy Foods USA, LLC and Plaintiff Nataly Lopez Vargas (collectively, the “Parties”) filed a joint stipulated motion seeking a stay of this action.¹ (Doc. No. 18). The Parties request the Court to stay this action, including all discovery, and to vacate all hearing dates and related deadlines in order that the Parties may engage in private mediation. (*Id.*).

A court is vested with broad discretion to stay a case. *Clinton v. Jones*, 520 U.S. 681, 705 (1997) (citing *Landis v. North American Co.*, 299 U.S. 248, 254 (1936)). The “party requesting a stay bears the burden of showing that the circumstances justify an exercise of that discretion.” *Nken v. Holder*, 556 U.S. 418, 433-34 (2009). Generally, “stays should not be indefinite in

¹ This action is related to *Martinez v. Saputo Dairy Foods USA, LLC*, No. 22-cv-01624-ADA-HBK and *Romero v. Saputo Dairy Foods USA, LLC*, No. 23-cv-00427-ADA-HBK. An order granting a stay will be entered in each of the related cases.

1 nature.” *Dependable Highway Exp., Inc. v. Navigators Ins. Co.*, 498 F.3d 1059, 1066-67 (9th Cir.
2 2007). If a stay is especially long or indefinite, a greater showing is required to justify it and the
3 court must “balance the length of any stay against the strength of the justification given for it.”
4 *Yong v. I.N.S.*, 208 F.3d 1116, 1119 (9th Cir. 2000). The Parties have met their burden to justify
5 a stay of this action.

6 Accordingly, it is **ORDERED**:

- 7 1. The joint motion to stay (Doc. No. 18) is GRANTED and this case, including all
8 discovery, is **STAYED until further order of Court**.
- 9 2. The Court vacates all hearing dates and related deadlines.
- 10 3. The Parties shall file a joint status report every ninety (90) days to advise the Court of
11 the status of mediation and whether a further stay of this action is warranted.

12
13 Dated: May 31, 2023


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE